

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ARCHER AND WHITE SALES, INC.,

Plaintiff,

V.

HENRY SCHEIN, INC., DANAHER CORPORATION, INSTRUMENTARIUM DENTAL INC., DENTAL EQUIPMENT LLC, KAVO DENTAL TECHNOLOGIES, LLC, DENTAL IMAGING TECHNOLOGIES, CORPORATION, PATTERSON COMPANIES, INC., BENCO DENTAL SUPPLY CO.,

Defendants.

CIVIL ACTION NO. 2:12-CV-00572-JRG

ORDER

Before the Court is Defendants Henry Schein, Inc.; Danaher Corporation; Instrumentarium Dental Inc.; Dental Equipment LLC; Kavo Dental Technologies, LLC; Dental Imaging Technologies, Corporation; Patterson Companies, Inc.; and Benco Dental Supply Co.'s (collectively, the "Defendants") Motion for Leave to File Defendants' Motion for Hearing (the "Motion"). (Dkt. No. 437.) Previously, the Defendants together with Plaintiff Archer and White Sales, Inc. ("Archer and White") filed a Joint Motion for Hearing (the "Joint Motion") requesting a hearing on several outstanding motions. (Dkt. No. 435.) The Court denied the Joint Motion but invited the parties to file a new joint motion requesting a hearing directed at up to but not more than three (3) outstanding pending pre-trial motions. (Dkt. No. 436.)


In the Motion, the Defendants represent that Archer and White has refused to file a joint motion with Defendants designating which motions to set for hearing. Accordingly, the

Defendants request leave to file Defendants' Motion for Hearing. Having reviewed the Motion, the Court is of the opinion that it should be and hereby is **GRANTED**.

Accordingly, it is **ORDERED** that the Defendants are permitted leave to file Defendants' Motion for Hearing (Dkt. No. 438). It is further **ORDERED** that Archer and White's response to the same, to the extent Archer and White intends to respond, shall be filed within three (3) days of the issuance of this Order.

So Ordered this

Nov 12, 2019



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE